

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON - JUNE 8 , 2005

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:15 A.M. - TELEPHONE CONFERENCE

Copeland COAL RIVER RESOURCES 04-988 DIP/NS
*(Jointly administered w/Steven R. Mullins Excavating; Tri-State Leasing and
Hollow Mountain Resources cases)*
Re: Coal River Resources
Final Pre-trial: Obj to Claim #7 (# 360, 361) Coal Sourcing & Sales (Esposito)

Obj to Claim#1 of Petroleum Products , #362, 363 - *contd from 5/3*
Response of Euler Hermes ACI (Esposito) #478

Obj to Claim #2 of Petroleum Products, #364, 365 - *contd from 5/3*
Response of Euler Hermes ACI (Esposito) #478

–SEE 2:00 fee appl hrg also

9:30 A.M. - PRE-TRIAL CONFERENCES

Carmody MARY TAYLOR 04-1980 Widener/GR
AP 05-07017: Validity/Priority/Extent of Lien: **AMENDED Complaint***
Debtor v. Beneficial Financial (terminated as party 4/14); *Beneficial
Discount Co of Va., and *Keith D. Freeland Trustee

Lamie THOMAS & ELLEN VAN DYKE 04-03479 Vogel/GR
AP 04-07121: Determine dischargeability; *contd fr 4/6 for defendant to add party*
Carolyn Sue Foglesong (J. Jesse) v. Debtors (Lamie)
Answer & Motion of Defendant to Dismiss filed 1/5; #5

Lawson LAMBERT OIL COMPANY 03-1183 Callahan/GR
AP 05-07038: Recover Money or Property
William F. Callahan Jr. Trustee (Callahan) v. McLure Oil Co Inc

AP 05-07039: Recover Money or Property
William F. Callahan Jr. Trustee (Callahan) v. Roanoke Restaurant Services

–note: Lambert Oil AP Pre-Trials Continued Into Page 2

9:30 A.M. - PRE-TRIAL CONFERENCES

Lawson LAMBERT OIL COMPANY 03-1183 Callahan/GR

–contd from Page 1

AP 05-07040: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Nick J. Lambert

Answer filed 5/9; #5 (Roy Terry) ;

(P/T Conf to be conducted by phone 6/10 at 11 @ Rke chambers)

AP 05-07041: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Evergreen Properties Inc

Answer filed 5/9 (Roy Terry);

(P/T Conf to be conducted by phone 6/10 at 11 @ Rke chambers)

AP 05-07042: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v.JXN, LLC (Shortridge)

Answer and Affirmative Defense filed 5/24, #9 (Shortridge)

AP 05-07043: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Petro Stopping Center #72

Answer: 4/22; # 5 (Lamie)

AP 05-07044: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. PFG Hale

Answer filed 5/9; # 8 (Edwards)

AP 05-07045: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Pepsi Cola Bottling Co

Answer and Affirmative Defenses (Frank/Gecker) 5/2 #11

AP 05-07046: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Janpak Bristol

AP 05-07047: Recover Money or Property

William F. Callahan Jr. Trustee (Callahan) v. Smith Wholesale Co Inc

Answer 4/20; # 5 (Kieffer)

10:00 A.M. - MISCELLANEOUS

Lamie WYTHE PRECISION MACHINE CO 02-4520 Callahan/SO

Claim # 27 Robert A. & Monterey L. Cassell filed 4/4; # 145

Motion of Trustee/Plaintiff to Approve Compromise and Settlement of

AP 04-7127 styled Trustee v. Robert Cassell

-Trial of AP on 5/19 cancelled

Carroll RUSSELL MUSICK 04-2717 Callahan/LM

Motion to Reopen Case/Waive Fee filed in case NOT YET closed;

-Ord of 5/26 dismissed motion

10:00 A.M. - MISCELLANEOUS

Copeland DAVID & SUSAN ROBINS 05-70920 Callahan/SO
Objection of Trustee to Debtors' Claim of Exemptions filed 5/11; # 14, 15,

Farthing LEANDER AMBURGEY 00-3801 Callahan/S
Motion of Trustee to Sell Property of the Estate and to Shorten Notice of Sale
filed 5/20; # 38

Carmody ERSTON & MARY YOUNG 05-71626 Wick/VS
Motion to Redeem & Fix Value of Personal Property on 2002 Buick LaSabre
upon which Wachovia Bank has lien - filed 5/13; # 7
Obj: Wachovia Bank(Goldstein) 5/25 #10

Beck ANTAEUS TECHNICAL SERVICES INC 99-2114 Copeland/LM
Objection of Trustee (Copeland) to Claims:
#56: NGOC Tran filed 4/1; # 370 -see

#53: Continental Design & Management filed 4/1; # 369

#51: PEPTEC filed 4/1; # 368

#50: CIBC World Markets filed 4/1; # 367

#47: BVS Investments filed 4/1; # 366

#46: Ken Richards filed 4/1; # 365

#45: Anderson & Schwab filed 4/1; # 364
Response filed 6/3; # 381 (by Frank Schwab Jr)

-note: obj to Claims in Antaeus Technical Case conts on page 4

Abingdon Calendar - 6/8/05

10:00 A.M. - MISCELLANEOUS

Beck

ANTAEUS TECHNICAL SERVICES INC

99-2114

Copeland/LM

–note: obj to claims contd from prior page

#44: Siddartha Gaur filed 4/1 #363

#43: Siddartha Gaur filed 4/1; # 362

#42: Stuart Sleeman filed 4/1; # 361

#41: William Walker filed 4/1; # 360

#40: AIG (Amer.Intl.Group) filed 4/1; # 359

#39: Robert McCrossan filed 4/1; # 358

#38: Dave D. Ferris, filed 4/1; # 357

–note: d/e #356 is a corrective entry -

#37: Paul Exner filed 4/1; # 355 -

–note: d/e # 354 is duplicate entry removed by d/e # 356

#36: Commercial Testing/Engineering filed 4/1; # 353

#35: * corrective d/e will be made to amend Claim # “D” to Claim # 35:

Adrian McKinney, filed 4/1; # 352 (see also Cl.#20 @ # 343 below)
Response filed 5/26 #378

#34: Nuecol (c/o J Lamie) filed 4/1; # 351 - (see also Cl.21 @ #344 below)

#33: US Dept of Energy filed 4/1; # 350

Response filed 5/23; # 377 (Eckert)

#32: Richard Wolfe filed 4/1; # 349 – (see also Cl.22 @ # 345 below)

#31: IRS filed 4/1; # 348

Response filed 6/1; # 380 (Isaac Paxman)

#29 Joseph C. Farrell, Trustee, filed 4/1; # 347

Response filed 5/31; # 379 (Hutton)

#26: Robert E. Wick, Jr., Trustee filed 4/1; # 346

#22: Richard Wolfe filed 4/1; # 345

#21 & #34: Neucol (c/o J Lamie) filed 4/1; # 344

Response filed 5/6 (Lamie)

–note: obj to Claims in Antaeus Technical Case conts on page 5

Abingdon Calendar - 6/8/05

10:00 A.M. - MISCELLANEOUS

Beck ANTAEUS TECHNIVAL SERVICES INC 99-2114 Copeland/LM
 –note: obj to claims contd from prior page

 #20: D. Adrian McKinney filed 4/1; # 343
 Response filed 5/26 #378

 #19: Hunton & Williams, filed 4/1; # 342 (see also cl. # 11 @ #337 below)

 #17: Coal Technology filed 4/1; # 341 (see also cl.#8 @ #336 below)

 #16: Project Services, filed 4/1; # 340

 #14: Musselwhite Drum Service filed 4/1; # 339

 #13: Howard Ellis filed 4/1; # 338

 #11: Hunton & Williams, filed 4/1; # 337

 #8: Coal Tehcnology filed 4/1; # 336

 #7: Martha D. Steel filed 4/1; # 335

 #6: Charles Davis filed 4/1; # 334

 #5: John McCulley, filed 4/1; # 333

 #3 USX Engineers & Consultants filed 4/1; # 332

Fleenor THOMAS MCINTYRE 05-71060 Jessee/SJ
 Motion for Relief filed by Green Tree Servicing fka Consecoco Finance(McQuiddy)
 4/29 #14, 16 -*Movant certification filed 5/4; # 17*

Sturgill JAMES AND APRIL DEARRY 05-71029-**WSB** Jessee/VS
 Motion for Relief filed by Green Tree Servicing fka Consecoco Finance(McQuiddy)
 4/29 #7, 9
 –ORDER of 5/4 withdrew motion

Fleenor MARY PARNELL 01-01102 Callahan/S
 Application for Compensation filed by Trustee on 4/29; #65, 69
 –Report of No Objs filed; order self-executing

Abingdon Calendar - 6/8/05

10:00 A.M. - MISCELLANEOUS

Carmody CHARLIE & SUSAN SMITH 05-71627 Wick/VS
Motion for Relief - filed 5/5; # 6, 7, 8, by MERS as agent for PHH
Mortgage Corp (Stewart)

Snodgrass BRENDA FRITTS 03-04378 Callahan/GR
Motion of Relief filed by Countrywide Home Loans(Wasser) on 5/13, #94, 97
-default order in transit - see fax copy

Attorney Admission: Matthew H. Wimberley w/James Humphreys

10:30 A. M. - TRIAL
Lamie WALTER SPRINKLE JR. 04-1592 DIP/NS
AP 05-07061: Validity/Priority/Extend of Lien *-formerly Obj to Claim #15 (#63)*
Debtors v. Bobby C. Gray (Lyle*) and New Peoples Bank (Hutton/Kilgore)
Response of Creditor to Objection to Claim (Lyle) filed 4/11; # 83
Answer of defendant Gray filed to AP 5/20; # 2
Answer of New Peoples Bk 6/2 #3

11:00 AM - MISCELLANEOUS

Pro Se ROGER N. WELLS - chapter 11 04-75100 DIP/S
Motion for Relief filed by Mary B. Reynolds(Kieffer) on 5/17 #105, 106
Response filed 5/31; # 109

Order of Show Cause issued by Court entered 5/9 # 103
Answer filed 5/27 #108
-
-Courts Order of 6/3 granted mots for continuance to 6/22 @ 11:00; all matters

Copeland BEAR RIDGE MINING, INC. 00-00708 DIP/JM
Application for Admin. Expenses filed by Fairmont Supply(Greenberg) 5/17 #268,
267

Abingdon Calendar - 6/8/05

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Largen	VERL & JEWEL BROWN Mod Plan #2 filed 4/5; # 21, 22	04-74683	Widener/GR
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Valuation: '96 Jeep Cherokee: Nuvell Credit Corp (Eason)

Largen	NANCY FARISS Plan filed 3/10; # 3, 5	05-70881	Widener/GR
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Farthing	JAMES & WENDY HAMM Plan filed 2/11; # 20 , 28	04-2929	Widener/VS
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Valuation: Don Woodward, DJ's Tire & Auto:2000 Plymouth Breeze filed
3/10; # 31

Farthing	LUCY MARTIN Mod Plan filed 4/18, 21, 22 Trustee Report & Showcause filed 2/15; # 10 <i>contd from 4/6 & 4/20</i>	04-75129	Widener/VS
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Lamie	RONALD & BARBARA OSBORNE Plan filed 3/9 #2, #6 Trustee Report & Showcause filed 4/25; # 11 Obj: American General Finance (Hutton) filed 5/10; # 14	05-70834	Widener/AF
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Lamie	WILLIAM CLAYMAN Post Conf Mod Plan filed 4/25; # 39, 40	02-3012	Widener/LM
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Abingdon Calendar - 6/8/05

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Hutchinson	JOHN & SANDRA MINNICK	05-7-0839	Widener/AF
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McDaniel	CAROLYN BILLINGS	04-3762	Connelly/SJ
	Mod Plan filed 4/20; # 46, 57		
	Trustee Motion to Dismiss/convert filed 2/15; # 40, 41 - <i>contd from 4/6</i>		

Money	RANDALL KEYES	04-2564	Widener/SJ
	Mod Plan filed 4/21; #36, 38 , 40 w/certif of service #42		
	Motion of Trustee to Dismiss or convert filed 3/24; # 35, 37 <i>contd from 4/20</i>		

Hutchinson	JERRY & CHRISTY TESTERMENT	05-70766	Widener/SL
	Plan filed 3/4; # 3, 6		
	Trustee Report & Showcause filed 6/2; # 10		

Largen	MARK HUFF	04-74535	Widener/AF
	Post-Conf Mod Plan filed 4/14; # 21, 23		

Largen	TRACY ALLEY	05-70487	Widener/GR
	Amended Plan filed 4/1; # 11, 12		

Fleenor	MITCHELL & CARRIE CLARK	05-70747	Widener/JJ
	Plan filed 3/3; # 4, 6		
	Obj: Highlands Union Bank (Hutton) filed 4/22; #12		
	Obj: Eastman Credit Union (Russell) filed 4/7; # 9		
	-CASE DISMISSED BY ORDER OF 6/6 failure to file plan : MOTION TO CONVERT TO CH 7 FILED 6/6		

Abingdon Calendar - 6/8/05

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Timoney	JOHN & LETITIA BAKER	05-70758	Widener/SJ
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Amended Plan filed 4/20; # 8 with certif of service

–see *Motion to Avoid Lien set 1:30*

Lamie	TAMARA TOLLIVER Plan filed 2/23; # 3, 8 Trustee Report & Showcause filed 4/13; # 14 – ORDER of 4/18 DISMISSED CASE	05-70649	Widener/JJ
Jessee	CHRISTOPHER & SHANNON BINGHAM Plan filed 2/23; # 3, 6 – Amended plan filed 5/23; # 10, 11, set for conf hrg 7/20 @ 1:00	05-70642	Widener/JJ
Slavin	DIANE WRIGHT CASE CONVERTED TO CHAPTER 7 ON 3/23	05-70664	Widener/SJ
Largen	KELLY CARPENTER Plan filed 2/18; #3 5, 6	05-70578	Widener/GR
Fleenor	JONATHAN & DEBORAH CORVIN Plan filed 2/18; # 5, 6 Trustee Report & Showcause filed 4/22; # 11 – CASE DISMISSED 6/6 on Debtors' Motion Valuation: Wells Fargo Financial Acceptance: 2002 Nissan Sentra, 5/6; # 12	05-70555	Widener/SJ
Farthing	STUART AND LISA KITTS Plan filed 3/17 #3,6 Trustee Report & Showcause filed 5/24; # 11	05-70986	Widener/GR

Abingdon Calendar - 6/8/05

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Timoney	MICHAEL AKERS	02-3306	Widener/S
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Mod Plan filed 4/12; # 44, 45
Motion of Trustee to Dismiss or Convert filed 3/31; # 43

Lamie	MARY SUNDERLIN Plan filed 3/8; # 3, 6 Obj: MERS as agent for Washington Mutual Bank FA (Stewart/Harman) filed 4/8; # 10 <i>—see also 1:30 obj to claim</i>	05-70824	Widener/VS
Hutchinson	DAVID & CONNIE SMITH Mod Plan filed 4/13; # 22, 23 Valuation: Spring Pure filed 4/29; # 25	04-74525	Widener/VS
Gifford	WILLIAM BUCKLES Amended Plan filed 3/28; # 13, 14 Trustee Report & Showcause filed 3/7; #11 OBJ: Highland Union Bank (Hutton) <i>Resolved by Order(agreed) of 5/10</i>	05-70291	Widener/NS
Kendrick	RAY & DORIS TESTERMAN Amended Plan filed 3/11; #21 (w/c-s) conf ntc #15 Trustee Report & Showcause filed 3/7, #19 — <i>contd from 5/4 to conduct cr mtg</i>	04-74454	Widener/SJ
Farthing	GARY CRIGGER Plan filed 3/7; # 3, 6	05-70803	Connelly/S
Farthing	RANDY JONES Plan filed 3/7; # 3 & 6	05-70800	Widener/S
Abingdon Calendar - 6/8/05			
<u>1:00 P. M. - MISCELLANEOUS</u>			
Gifford	JAMES & LOIS WYATT	01-1301	Widener/S

Motion of Debtor for Release of Administratively Held Funds filed 3/29; # 175
–*case dismissed 2/24 without prejudice ; motion filed post-dismissal*
–*New Ch 12 case filed on 4/27; # 05-71624*
–**ORDER (Agreed) of 5/12 granted motion**

Hendricks PHILLIP AND BELINDA WHITT 04-75011 Widener/JM
Motion to waive ntc of opportunity to obj. to debtors' mod. Plan filed 5/16, #38

1:30 P. M. - CONFIRMATION

Carmody MARY TAYLOR 04-01980 Widener/GR
Amended plan filed 12/27 d/e # 56, 57 – *contd from 2/23*
***Obj:** First Community Bank (Kieffer) filed 1/27:resolved:
Motion of Trustee to Convert/Dismiss , #41 , contd from prior hearings
–***Trial held 4/20 on Trustee Motion & contd for further consideration***

Largen JAMES & CHRISTY CAUDILL 05-70406 Widener/S
Plan filed 2/8; # 3, 6,
Trustee Report & Showcause filed 3/29, # 13 – *contd from 5/4; hear w/obj to cl.*

Obj of Debtor to Claim #11 of Aurora Loan Services Inc

1:30 P. M. - MISCELLANEOUS

Timoney JOHN & LETITIA BAKER 05-70758 Widener/SJ
Motion to Avoid Lien of Citifinancial Services Inc filed 5/19; # 12, 13
– *see also 1:00 p.m. confirmation matters*

Lamie MARY SUNDERLIN 05-70824 Widener/VS
Obj of Debtor to Claim #6 of Mortgage Electronic Registration Systems
–*see also Plan & Obj at 1:00 p.m.*
–***Order of 5/25 disallowed claim***

Abingdon Calendar - 6/8/05

1:30 P. M. - MISCELLANEOUS

Lamie RANDY AND BRENDA MOORE 04-02724 Widener/VS
Motion for Relief filed by Nissan Motor Acceptance(Van Beek) on 5/13 #31, 33

-Agreed Order of 6/2 granted relief

Hutchinson PATSY CRABTREE 03-3322 Widener/SO
Motion for Relief - filed 5/16; # 22, 24, 25 (13101 Porterfield Hwy Abingdon)
By Countrywide Home Loans (Sasser)
Response filed 5/27; # 26

Lamie DAVID & WANDA JACKSON 04-3812 Widener/LM
Obj of Debtor to Claim #9 of Brown Dental Associates filed 4/11; # 52
-Order of 5/31 sustained obj; allowed as unsecured in amt of \$1283.90

Obj of Debtor to Claim #15 of Va. Dept of Taxation filed 4/11; # 53

Farthing ANTHONY & LINDA JONAS 04-975 Widener/SL
Motion for Relief - filed 5/9; # 45, 46, 47 by Deutsche Bank National Trust
Co fka Bankers Trust Co of California NA , custodian or trustee (Rosado)
Reply to Motion filed 5/24; # 49 ; Respondent's certification 5/26; # 50
-Agreed Ord in transit - should be in CM orders by 6/8 pm

2:00 P. M. - MISCELLANEOUS

Snodgrass WILBERT & PALFALENE CHANDLER 03-5187 Widener/GR
Motion of Trustee to Convert/dismiss filed 4/25; # 33

Motion to Incur Debt and motion to shorten notice filed 5/25 #34,35

Largen CHRISTOPHER & JOAN PAULEY 04-19 Widener/SO
Motion to Sell and Motion to Refinance and Motion to Shorten time for notice
filed 5/23; # 25, 26 (#27 Exhibit A)

Abingdon Calendar - 6/8/05

2:00 P. M. - MISCELLANEOUS

Hendricks BILLY & TAMMY HARMAN 04-74798 Widener/NS
Motion of Trustee to Convert of Dismiss filed 4/25; # 23

Gifford ROSARIO LICITRA 03-4451 Widener/JJ
Motion for Relief - filed 3/31; # 56, 57, 58, 59(amended Notice) filed by
CitiMortgage Inc (Sasser)
Answer to Motion filed by Debtor on 4/7; # 60
Respondent's certification filed 4/11; # 61 – contd from 4/20

Largen ZENDELL & KAREN HARMON 02-03440 Widener/AF
Motion to Incur debt filed 5/17 #43, 44

Copeland COAL RIVER RESOURCES 04-988 DIP/NS
(Jointly administered w/Steven R. Mullins Excavating(Copeland); Tri-State
Leasing(F. Leonard) and Hollow Mountain Resources (Goldstein) cases
Re: Coal River Resources (Copeland)
4th Application for Interim Compensation of Counsel (Copeland) for debtor
filed 45/18; # 683, 684

Re: Steven R Mullins Excavating: (Copeland)
4th Interim Application of counsel for Debtor (Copeland filed 5/18; #685, 686

Re: Hollow Mountain Resources (Goldstein **)
**Copeland serviced as counsel for debtor?
Motion for Relief filed 5/20; # 699, 700, 708, 709 by Anderson Equipment Co
(Hibbert)
Response of Hollow Mountain filed 6/3; #711 w/Respondent's Certif, # 712

2:30 P.M. - TRIAL

Proctor FREDERICK & CHEMAIN LITTON 04-3766 Vogel/SL
AP 04-7137: Object to or Revoke Discharge:
Darlene Litton (Lamie) v. Frederick Litton
Answer filed 1/7; #4